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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/501,590	02/10/2000	Yukinori Yamamoto	35.C14250	4096

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FITZPATRICK CELLA HARPER & SCINTO
30 ROCKEFELLER PLAZA
NEW YORK, NY 10112

EXAMINER

AN, SHAWN S

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 11/04/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/501,590

Applicant(s)
Yukinori Yamamoto

Examiner
Shawn An

Art Unit
2613



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on Feb 10, 2000 is/are a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☒ All b) ☐ Some* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- *See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 6) ☐ Other:

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

2. Claims 1-2, 7-11, 13, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Ito et al (6,377,309 B1).

Regarding claims 1, 7, 13, and 14, Ito et al discloses a decoding apparatus/method or computer readable storage medium (col. 20, lines 33-67) which stores a program, comprising including steps:

input means (Fig. 19, 51) for inputting a bitstream obtained by coding a plurality of object data in units of objects and multiplexing the coded data;

separation (demux) means (27) for separating coded data of each object from the bitstream;

selection means for selecting a predetermined object from the plurality of objects contained in the bitstream (col. 16, lines 11-21);

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decoding means (32b) for decoding the coded data of the object selected by the selection means and outputting object data; and

synthesis means (53) for synthesizing the object data decoded by the decoding means.

Regarding claim 2, Ito et al discloses MPEG 4 (32b).

Regarding claim 8, Ito et al discloses an audio object (28b).

Regarding claim 9, Ito et al discloses a scene description object (39).

Regarding claim 10, Ito et al discloses monitoring means (44) for monitoring the object data synthesized by the synthesis means.

Regarding claim 11, Ito et al discloses communication means (communication line) for performing data communication with an external device (44), wherein the communication device transmits information representing that the bitstream is decoded.

3. Claims 1-2, 7-11, 13, and 14 are rejected under 35 U.S.C. 102(e) as being anticipated by Satoru et al (6,173,013 B1).

Regarding claims 1, 7, 13, and 14, Satoru et al discloses a decoding apparatus/method or computer readable storage medium (col. 42, lines 10-35) which stores a program (Fig. 7), comprising including steps:

input means (Fig. 1, 101) for inputting a bitstream obtained by coding a plurality of object data in units of objects and multiplexing the coded data;

separation (demux) means (102) for separating coded data of each object from the bitstream;

selection means (Fig. 2, 204) for selecting a predetermined object from the plurality of objects contained in the bitstream (abstract);

decoding means (109) for decoding the coded data of the object selected by the selection means and outputting object data; and

synthesis means (112) for synthesizing the object data decoded by the decoding means.

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Regarding claim 2, Satoru et al discloses MPEG 4 (abstract).

Regarding claim 8, Satoru et al discloses an audio object (Fig. 1, 108).

Regarding claim 9, Satoru et al discloses a scene description object (Fig. 1, 107).

Regarding claim 10, Satoru et al discloses monitoring means (Fig. 1, 113) for monitoring the object data synthesized by the synthesis means.

Regarding claim 11, Satoru et al discloses communication means (communication line) for performing data communication with an external device (113), wherein the communication device transmits information representing that the bitstream is decoded.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al (6,173,013 B1).

Regarding claim 3, Satoru et al disclose the input bitstream being scrambled (Fig. 2, Scrambled,...Object Data).

Satoru et al also discloses descrambling means (207) for descrambling the scrambled bitstream.

Satoru et al descrambling means performs descrambling after the separation means, whereas Applicant's descrambling means performs descrambling before the separation means as an input means.

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Therefore, it would have been considered quite obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Satoru et al to modify a location of the descrambling means such that the descrambling means performs descrambling before the separation means as an input means in order to avoid having many descrambling circuits descrambling a plurality of video object data.

Regarding claim 4, Satoru et al discloses the bitstream containing IPMP data (Fig. 2, 120) that is not scrambled, and the descrambling means descrambling the bitstream in accordance with the IPMP data (col. 8, lines 10-22).

6. Claims 5 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al as applied to claims 3 and 1 above, respectively, and further in view of Takahashi (6,295,380 B1)

Regarding claims 5-6, Satoru et al discloses read means (Fig. 2, 205) for reading selection/descrambling data for selecting/descrambling the object/data, the selection/descrambling data being stored in a storage medium (206), and the selection/descrambling means selects/descrambles the predetermined object (scrambled bitstream) from the plurality of objects in accordance with the selection/descrambling data read by the read means (abstract; col. 8, lines 10-22).

Satoru et al does not disclose the storage medium as being an IC card.

However, a storage medium such as an IC card is well known in the art.

Furthermore, Takahashi teaches an object data decoding apparatus as an object data processing apparatus (Fig. 1), and that IC card, ROM cassette, or the like may be used so as long as it can record a program (col. 29, lines 42-47).

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Satoru et al to substitute the storage medium with

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the IC card as taught by Takahashi for storing/recording program data comprising a player/subscriber information.

7. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Satoru et al as applied to claim 11 above, and further in view of Fogg (6,466,624 B1).

Regarding claim 12, Satoru et al does not specifically disclose data communication through Internet

However, Fogg teaches a communication means (Fig. 5, 509) might be utilized for Internet, WAN, LAN, etc.

Therefore, it would have been obvious to a person of ordinary skill in the relevant art employing a decoding apparatus as taught by Satoru et al to incorporate Fogg's teaching of the communication means being utilized for Internet so as to display decoded video data to many subscribers in different locations.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A) Suzuki et al (6,173,013 b1), Method and apparatus for encoding enhancement and base layer image signals using a predicted image signal.

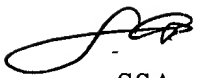
B) Chen et al (6,057,884), Temporal and spatial scaleable coding for video object planes.

9. Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

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10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawn An whose telephone number (703) 305-0099 and schedule are Tuesday-Friday.

SHAWN S. AN
PATENT EXAMINER



SSA

October 31, 2002